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Our File No.

38110-100

February 3, 2023

**By ECF and E-mail**

The Honorable Lewis A. Kaplan  
United States District Judge  
Southern District of New York  
United States Courthouse  
500 Pearl Street  
New York, NY 10007

**Re: *Kleeberg, et al. v. Eber, et al.***  
**Docket No. 16-cv-9517 (LAK)**

Dear Judge Kaplan:

We represent the Eber Defendants in the above-referenced action.

We write in furtherance of the January 26, 2023 conference wherein the topic of settlement was raised by the Court and Plaintiffs. Defendants are interested in re-engaging in settlement discussions as we do not agree that settlement discussions were exhausted. In furtherance of same we respectfully request that the Court provide us with the contact information for its candidate for mediator.

Respectfully submitted,

*s/ Frank T. Santoro*

Frank T. Santoro

cc: All Counsel of Record